



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,233	03/22/2004	Wen-Cheng Tseng	58268.00370	9041
32294 7590 06/22/2007 SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER SORRELL, ERON J	
			ART UNIT 2182	PAPER NUMBER
			MAIL DATE 06/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/805,233	Applicant(s) TSENG ET AL.	
	Examiner Eron J. Sorrell	Art Unit 2182	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. Applicant's amendment to claim 22 is sufficient to overcome the 112-2<sup>nd</sup> paragraph rejection in the previous office action.
2. The amendment to figure 1 is acceptable; the objection to the drawings is withdrawn.

***Terminal Disclaimer***

3. The terminal disclaimer filed on 3/30/07 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of US Patent No. 6,738,833 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Response to Arguments***

4. Applicant's arguments filed 3/30/07 have been fully considered but they are not persuasive. The applicant argues:
  - 1) The prior art fails to teach the limitations of determining from a header whether any default value of the network device should be updated and fetching at least one configuration instruction from a memory when the determining step determines that the network device should be updated (see first full paragraph of page 14 of applicant's remarks); and

Art Unit: 2182

2) the prior art fails to teach the memory interface is configured to receive configuration instructions, wherein the network device is configured to interpret the instructions such that the corresponding values are mapped to corresponding default values of the register file (see paragraph bridging pages 15 and 16).

**As per argument 1, the Examiner disagrees.** Egbert teaches a network device (item 10, figure 1) that receives configuration instructions from an external memory device (item 14, figure 1). Egbert further teaches reading a header (MSB) from a location in the external memory to determine if any values in the network device are to be updated. If the header (MSB) is a 0, an address is read from the memory. This address corresponds to the address in the network device to be updated. The next value in the external memory is read, which corresponds to data to be written to address previously identified. Applicant's claimed configuration instruction is being interpreted as the data read from the external memory and programmed into the network device.

**As per argument 2, the Examiner disagrees.** Egbert teaches the network device comprises a memory interface (item 16, figure 1) that receives configuration instructions (see lines 26-42 of

Art Unit: 2182

column 3). The addresses read from the external memory (item 14, figure 1) are mapped to the register file in the network device (item 12, figure 1). The network device reads the internal memory and interprets what registers to reprogram and what data to reprogram the device with.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 22-25, 27-32, 34-39, 41, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Egbert et al. (U.S. Patent No. 6,407,960 hereinafter "Egbert") in view of Chieng et al. (U.S. Patent No. 6,035,346 hereinafter "Chieng").

7. Referring to method claim 22 and apparatus claims 29 and 36, Egbert teaches a method for flexibly configuring default values of a network device through an memory interface, comprising:

Art Unit: 2182

determining whether default values are obtained through the memory interface (see lines 31-42 of column 3);

when it is determined that the default values are to be obtained through the memory interface, performing the steps of:

receiving a header from a memory through the memory interface (see line 43 of column 3 to line 25 of column 4);

determining from the header whether any default value of the network device should be updated (see line 43 of column 3 to line 25 of column 4);

fetching at least one configuration instruction from the memory when the determining step determines that the network device should be updated (see line 43 of column 3 to line 25 of column 4);

interpreting the at least one configuration instruction (see line 43 of column 3 to line 25 of column 4); and

changing a register default value of the default values corresponding to the interpreted at least one configuration instruction (see line 43 of column 3 to line 25 of column 4).

Egbert fails to teach that when it is determined that the default values are obtained through a microprocessor interface, changing said default values according to data received through the microprocessor interface.

Art Unit: 2182

Chieng teaches, in an analogous system, the above limitation (see lines 46-57 of column 3).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system and method of Egbert with the above teachings of Chieng. One of ordinary skill in the art would have been motivated to make such modification because Chieng suggests the method is less susceptible to reprogramming instruction errors (see paragraph bridging columns 2 and 3).

8. Referring to method claim 23 and apparatus claims 30 and 37, Egbert teaches monitoring a reset signal to determine whether the default values of the network device should be updated (see lines 43-60 of column 3).

9. Referring to method claim 24 and apparatus claims 31 and 38, Egbert teaches determining from the header whether any default values should be updated comprises determining a number of the default values of the network device that should be updated (see line 43 of column 3 to line 25 of column 4; Note that each header (MSB) determines if one register is to be updated).

Art Unit: 2182

10. Referring to method claim 25 and apparatus claims 32 and 39 Egbert teaches the fetching of at least one configuration instruction from the memory comprises fetching a number of configuration instruction from the memory equal to the number of the default values of the network device that should be updated (see line 43 of column 3 to line 25 of column 4; Note that each header (MSB) determines if one register is to be updated and fetches the corresponding one configuration instruction).

11. Referring to method claim 27 and apparatus claims 34 and 41 Egbert teaches the at least one configuration instruction comprises a plurality of configuration instructions and the step of fetching at least one configuration instruction from the memory is repeated until all of the plurality of configuration instructions have been fetched (see line 43 of column 3 to line 25 of column 4).

12. Referring to method claim 28, and apparatus claims 35 and 42, Egbert the memory interface comprises an EEPROM interface and the method further comprises a step of receiving a header from an EEPROM through the EEPROM interface (see lines 14-25 of column 3).



Art Unit: 2182

13. Claims 26,33, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Egbert in view of Chieng as applied to claims 22,29, and 36 above, and further in view of Gates et al. (U.S. Patent No. 5,727,207 hereinafter "Gates").

14. Referring to method claim 26 and apparatus claims 33 and 40, the combination of Egbert and Chieng teaches the method and apparatus of claims 22 and 29 as shown above, however the combination fails to teach determining a key value from the header and comparing the key value with a magic number pre-defined inside the network device to determine whether any default value of the network device should be updated.

Gates teaches, in an analogous method and apparatus, determining a key value from the header and comparing the key value with a magic number pre-defined inside the network device to determine whether any default value of the network device should be updated (see paragraph bridging columns 2 and 3).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Egbert and Chieng with the above teachings of Gates. One of ordinary skill in the art at the time of the applicant's invention would have been motivated to make such

modification in order to be able to leave registers with the default configuration values as suggested by Gates (see paragraph bridging columns 2 and 3).

### **Conclusion**

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J. Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 8:00AM - 4:30PM.

Art Unit: 2182

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EJS  
6/12/2007

  
KIM HUYNH  
SUPERVISORY PATENT EXAMINER

6/19/07

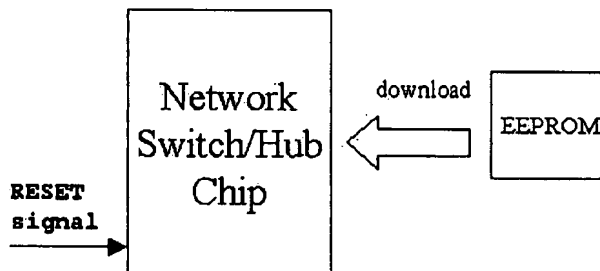


Fig. 1  
Prior Art

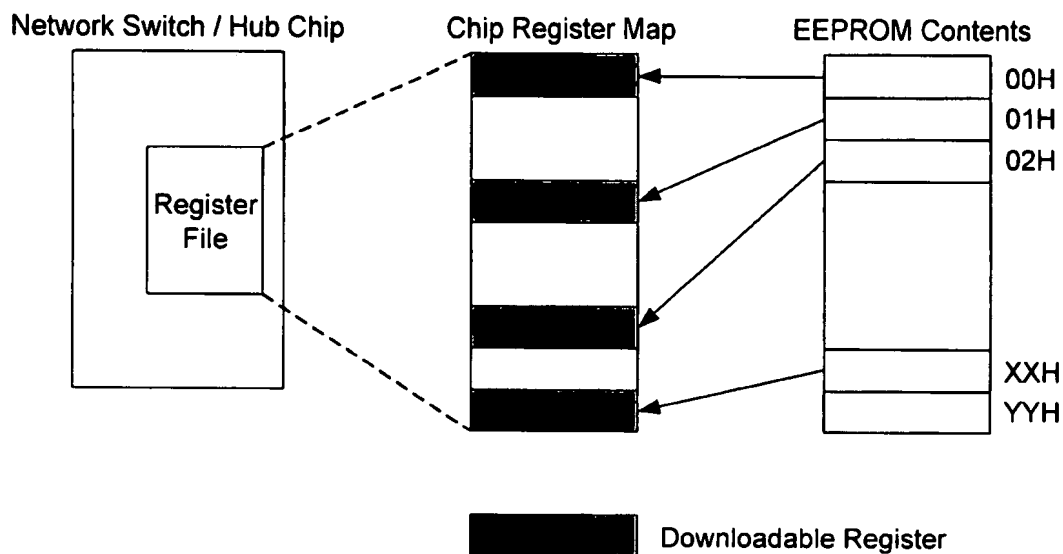


Fig. 2